



**SPECIAL MEETING OF THE COMMON COUNCIL
MIDDLETOWN, CONNECTICUT
FEBRUARY 10, 2011**

| | |
|--------------------------------|--|
| Special Meeting | A community meeting of the Common Council of the City of Middletown was held in media center at Snow School, Wadsworth Street, on Thursday, February 10, 2011 at 7 p.m. |
| Present | Mayor Sebastian N. Giuliano, Council Members Thomas J. Serra, Ronald P. Klattenberg, Philip J. Pessina, Gerald E. Daley, Robert P. Santangelo, Hope P. Kasper, Grady L. Faulkner, Jr., Deborah A. Kleckowski, David Bauer, and Daniel Drew; Sergeant-at-Arms Acting Chief of Police Patrick McMahon, and Council Clerk Marie O. Norwood. |
| Absent | Council Members Joseph E. Bibisi and James B. Streeto; and Corporation Counsel William Howard. |
| Also Present | Three members of the public. |
| Meeting Called to Order | The Acting Chair (Councilman Pessina) called the meeting to order at 7:04 p.m. and leads the public in the Pledge of Allegiance. |
| Call of Meeting Read | The Call of Meeting was read and accepted. The Acting Chair declares the Call a Legal Call and the Meeting a Legal Meeting. |
| Public Comment Opens | <p>The Chair opens public comment on items under the jurisdiction of the Common Council at 7:03 p.m. He asks if there are any members of the public wishing to speak.</p> <p>Mr. Salvatore Caracoglia comes forward to address a problem he has with the Police Department and a case he has. In October, 2008 he was arrested for disorderly conduct at the Board of Education and after year and half it was dismissed because of lack of evidence. On October 24, 2009, he was arrested for disorderly conduct. This law is unconstitutional it is vague and ambiguous. It is still on the books. He was found guilty of this charge because an officer of the law has lied under oath and he will request this officer be removed from the Police Department. It is Officer Brian White. First of all, with the facts of the case. He mentions during the process of this ordeal, he filed a Pro se and filed a motion for discovery and he was told that the nature and cause of the accusation would be sent to him. That was in November.</p> <p>The Acting Chair asks Mr. Caracoglia to give the council a synopsis of what he is looking for from the Council.</p> |
| Noted for the Record | <p>The Mayor arrives at 7:06 p.m.</p> <p>Acting Chair Pessina asks him to be succinct.</p> <p>Mr. Caracoglia states there were two emergency phone calls dispatched at the communication center. Wayne is the director. The second thing is the perjury committed by Mrs. Santangelo, Mr. Calabrese, and Officer White. All three of them have perjured themselves. He states let me tell you that the Statute 53-182 has two subdivisions and he reads them.</p> |
| Point of Order | <p>Councilman Drew asks if Mr. Caracoglia is speaking on matters under our authority.</p> <p>Mr. Caracoglia states he wants to tell what has transpired. He reads the Statute. He states you have to have intent and offense or disorderly conduct.</p> <p>Acting Chair Pessina asks if it was in the court and was it adjudicated. Mr. Caracoglia responds yes. It is in appeal.</p> <p>The Acting Chair states we can't hear a legal case involving citizens in a court action that is under appeal. What are you presenting tonight that we can do for you as the Council. Mr. Caracoglia replies he wants to inform the Council we have a police officer that lied under oath and a Councilman who interfered with a criminal investigation and he feels he is being singled out for what he does and it has to stop. The Police Department has singled me out. They go around my house at 3 a.m. in the morning. They stop and they take the license plates of cars at the house. He has not said anything. There were previous investigations that were covered up. If you are part of the inner circle, nothing happens to you and if you are on the outside, you get clobbered. What was done to me, some call me crazy and he yells and that is part of his character. He wants to say something without interruption. I know what is going on and I will give you a warning; don't bother me in anyway possible.</p> |

Acting Chair Pessina states I appreciate your feelings; however, there are two avenues you have at your disposable. You can present your case to the Police Department about the Officer. We have no authority over personnel matters. Bring it to the Chief's attention. If you have a problem with a member of the Council, you have the Ethics Board you can make a complaint to and provide the basis for it.

Mr. Caracoglia states he will follow up on the two avenues. He called Chief McMahon and he did not return the call so he wants this body to know that he knows and I don't want you to call me crazy. The Acting Chair states we won't; our job is to provide you the services and direct you to the avenues you need.

Mr. Caracoglia continues his comments stating on January 19, 2010, he filed a motion for disclosure about the two emergency phone calls; one to the Police Department and one to the Dispatch Center. The judge stated the case can go on and the scope of the evidence will not be available to him and the judge continues the case.

On June 23, the day of the trial and on that day the prosecutor introduces Officer White, Mrs. Santangelo and Mr. Calabrese and an Officer who did not show up Officer Yepes. The second police report was filed by Officer Yepes was to create a second incident from the incident that has happened. It is the prosecutor who makes it available to get a conviction from a nonexistent incident. On the 23rd, he was charged with disorderly conduct 53A-182 a and b or 1 and 2. On the day of the trial the prosecutor changes the charge to 53-181, creating a disturbance. He was not notified of the change and he asked for a delay to have time to defend himself on the new charge. The request is denied. Then he has more witnesses to be on the defense for himself which is his right. He can have compulsory witnesses and he asked for a trial by jury not a bench because the judge is in cahoots with the prosecutor. On the third thing, a request for a lawyer, the Constitution doesn't say you have to have a lawyer or attorney but counsel; anyone can be counsel. That request was denied and my request for witnesses was denied. The entire amendment was denied. He has a new charge to defend himself from and the case continues. One thing, and he is surprised about is on June 23, the prosecutor has reduced the charge to 181 and he gives me a paper from a case that was dismissed according to the Board of Education. When you are before a judge, I was not thinking about this. The Officer Yepes second police report was given to me at that time. Officer Yepes was on the same day, creating the second incident and it is completely different from Officer Brian's remarks. We have three different versions on how the case was to proceed. I want you to know that Mr. Calabrese who described himself as a professional campaign manager and did not see everything. What disturbed me was whether it was true or false. I have the transcript page 39 and I asked the question did you say to Mr. Caracoglia, I am going to call the cops. Mrs. Santangelo responds I don't understand the question.

Acting Chair Pessina states you are trying the case here and we cannot adjudicate it here. All I ask is for you to tell us what you want from us as a Council to do for you. We told you what avenues you have. Mr. Caracoglia states he will follow up and I want you to know this because I don't want it covered up. That is what you do. He reads the testimony of Mrs. Santangelo from transcript pages 39 and 40. He underscores her response was I did not know or do not recall. Mr. Calabrese did not have knowledge of her testimony and I ask if he was there. Mr. Calabrese states that he heard Lisa say she was going to call the police. He reads the rest of the testimony and Mr. Calabrese admits she called the cops. He finds it to be disturbing. Either she did or her husband did. Mr. Calabrese states she and her husband was at the democratic headquarters and explains how the call was made. He reads from the testimony of Mr. Calabrese.

The Acting Chair tells Mr. Caracoglia he has one minute. Mr. Caracoglia continues reading from the testimony of Mr. Calabrese. He states according to Brian White, the incident began at noon and then . . .

Point of Information

Councilman Drew states a point of information that there are other members of the public who wish to speak.

Acting Chair Pessina states to Mr. Caracoglia we have told you the avenues and we can't adjudicate this and appreciate that you brought this forward; thank you for your time and presentation.

Mr. Phil Armetta comes forward to address the Council. He thanks the Council for their time. He is here to announce a new project and he is looking for the Council's support. He wants to give a two minute overview of what he has done as far as development work and the new project in Middletown. He has developed two waste to energy projects; he started a medical waste project. The power plant which he worked on for 12 years and will be back on line April this year. He is starting a new project. He didn't believe in recycling because he was not able to make money. He states there are 3 landfills left in Connecticut and

two will close down and there will be one left. He would like to develop a recycling plant for construction debris and as part of the package he will ask for a permit for land for residue. Once he commits to taking the waste and if there is a power outage, he can't tell them they can't take the waste and come back next week; he is committed to taking the waste and he needs a back up. He is doing it as a package plant and landfill. Europe addressed the problems way before we did and we have now reached a point that there is very little land to develop here in Connecticut. He has 200 acres in Lisbon and he will do a second plant there and he wants to do the first one here in Middletown. Once he gets the bugs out, he will do one in Lisbon. He is going for a permit at Lisbon. He is here to see if he can get support. If we don't do these projects, right now I am shipping waste to Ohio; that is construction debris and that is over 300 miles. We can do it right now, but we have to look at the cost of fuel in two to three years and I will bet it will be 5 or 6 dollars a gallon. We can go long distances now, but if we don't address the problem now, we can forget about new development in the State. We have to do it in State for economic reasons. If we develop new projects, there will be a certain amount of debris and we intend to recycle. He discusses what he will do with the wood, metal, concrete and cardboard. I want to mention that Lisbon is owned by Middletown; in a few more years when the debt is paid off, Middletown will receive \$10 million a year and that is free and clear. Middletown had the foresight to say yes to issue revenue bonds. There is no other City or State that has that ability. He is looking for some assistance to get through the hurdles. We can't play politics. We will also be creating jobs. This is what we need to do. My two projects will employ about 120 employees. We are creating jobs, saving money for the contractors and he noticed that he is the third highest payer in taxes. I have proven myself for doing development work. The project will be done on Newfield St; he has an old landfill there. He has about 40 acres in the back and he told DEP, he wanted a permit for the back and was told no one would bother him and he paid a fine for being 3 feet over his elevation. We were there 14 years and they built condos across the street and that is how innocuous his project was. This would be set in the back and it is isolated and will be beneficial for the City.

He asks if there are questions and he met with DEP and has a meeting with the Governor. Everyone understands, you can't play politics if the project is good. He believes he has benefited the citizens of Middletown and he brought some books regarding the project. He wants whomever doesn't have one to have one.

Councilman Klattenberg asks if it will be brought before the Economic Development Committee. Mr. Armetta states he understood there was a meeting and he has not been promoting this and if there is opposition, he wants to address those concerns now. He believes it will be a great project and will create jobs. Councilman Klattenberg states I have seen the technology in Germany. Mr. Armetta states he went all over the world to look at these and he doesn't mind taking ideas that work. This is serious money and both projects will cost about \$20 million. Each for about \$10 million. Middletown has benefited from my projects and I am not asking for favors; let's talk about the issues and address them.

Acting Chair Pessina asks if there is concern about the back of the property adjacent to the river. Mr. Armetta responds he doesn't think so; they will only be putting a little residue here; it is not garbage and it is inert material that they cannot process. They expect to recycle 90% of the waste and there will be 10% residue. The Acting Chair states is it my understanding that all the construction projects, all the debris, they can bring it here and you will recycle. Mr. Armetta responds not all; I will choose what I can do. Councilman Daley states we have had discussions at ECCRA about this and there is a definite need for this type of facility. It is different from municipal solid waste; there is nothing to leach out. He states the key issue would be traffic. There is a need and we are looking for ways to create jobs. Mr. Armetta states that is his goal. He is creating jobs and I don't need to do this; I enjoy it. Councilman Daley states contact Bill Warner and get on the EDC agenda; we meet the second Monday of the month. We cancelled the meeting for this month. Maybe you can get on the agenda for March 14. Mr. Armetta responds he wants to fast track it and he has done 3 or 4 big projects and DEP approvals have been the biggest problem and he wants to convince the Governor that it can be done differently, like other States. Instead of giving 5-6 people the work to check things out, they can do this in 60 days. He has waited over a year for some permits.

The Acting Chair recognizes the Mayor and asks if he has questions. Mayor Giuliano responds until it suited Mr. Armetta about being public about what he was doing, he didn't breach confidences. He believes there is a need for this and we are well situated for consideration.

The Acting Chair states next Wednesday, Governor Malloy is having a town meeting. The Mayor states it is on March 15, he is having a town meeting. Councilman states he has a meeting with him.

The Acting Chair thanks him for his time.

Motion to Adjourn

The Acting Chair states he will entertain a motion to adjourn. Councilman Santangelo moves to adjourn and his motion is seconded by Councilwoman Kleckowski. The Chair declares the meeting adjourned by unanimous vote, at 7:42 p.m.

ATTEST:

MARIE O. NORWOOD
Common Council Clerk